



**U.S. Department of Justice**

Office of the United States Trustee

District of Oregon

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620 SW Main St., Rm 213  
Portland, Oregon 97205

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November 16, 2018

Hon. Peter C. McKittrick  
United States Bankruptcy Court  
District of Oregon  
1001 SW Fifth Avenue, Seventh Floor  
Portland, OR 97204

Re: *United States Trustee v. Peter Szanto*, Adversary No. 18-3022-pcm  
Report requested by Court during hearing on November 13, 2018

Dear Judge McKittrick,

Pursuant to the Court's instructions at the hearing in the above-captioned matter on November 13, 2018, I emailed defendant Peter Szanto inquiring about his preference for delivery of CDs containing electronic copies of non-privileged documents and information by the United States Trustee. Mr. Szanto responded on November 14, 2018 and advised me that he preferred that the CDs be delivered by Federal Express to his residence with no signature required.

Today the United States Trustee shipped via Federal Express (no signature required) to Mr. Szanto's residence CDs containing non-privileged documents and information described on the cover letter attached to this letter as Exhibit 1. I also emailed Mr. Szanto today and provided the password to access the information on the password-protected CD along with the Federal Express tracking number so he can track the package.

Very truly yours,

GREGORY M. GARVIN  
Acting United States Trustee for Region 18

/s/ *Carla Gowen McClurg*  
CARLA GOWEN McCLURG  
Trial Attorney

cc: Peter Szanto (via email)

## **Exhibit 1**



**U.S. Department of Justice**

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November 16, 2018

Peter Szanto  
11 Shore Pine  
Newport Beach CA 92657

*Via Federal Express Delivery*

Re: *United States Trustee v. Peter Szanto*, Adversary No. 18-3022-pcm  
CDs with documents and information enclosed

Dear Mr. Szanto,

With this letter, the United States Trustee is providing to you non-privileged documents and other information used to prepare the United States Trustee's Complaint for Denial of Discharge filed on March 5, 2018, ECF No. 1 (the "Complaint"). The United States Trustee is providing documents and information to you in the interests of moving the above litigation along. By providing the information and documents enclosed with this letter, the United States Trustee does not waive any objections to the Debtor/Defendant's First Request for Production of Documents dated June 2, 2018; Debtor/Defendant's First Interrogatory Request dated June 2, 2018; Debtor/Defendant's Exemplification of First Interrogatory Request dated June 2, 2018; and Debtor/Defendant's Second Interrogatory Request dated June 3, 2018.

Enclosed with this letter is a password-protected encrypted CD marked "Documents from UST" containing the documents that are outlined below. Today I emailed the password to you that you can use to access the files on the CD marked "Documents from UST." Also included in a CD marked "Fed Ex Surveillance" containing the December 4, 2017 surveillance footage from the FedEx Office Location at 3992 Barranca Parkway, Irvine, California, which was produced by FedEx to the United States Trustee.

**Documents Included on CD Marked "Documents from UST"**

The United States Trustee relied upon a number of different categories of documents in preparing the Complaint. Some of the documents enclosed are organized in folders according to categories. A small number of documents are not included in folders. The documents enclosed on the CD marked "Documents from UST" include the documents identified in the table that follows below.

<b>Folder</b>	<b>File Name</b>	<b>Bates No.</b>	<b>Brief Description</b>
01 Bank Documents	BOA 2779	BKU0748-BKU0781	Bank of America ("BOA") statements for account # ending 2779 for 12/23/15 – 8/23/16
01 Bank Documents	BOA 4345 (YTC)	BKU 0225 – BKU 0250	BOA account statements for account # ending 4345 for 3/11/16 – 8/31/16
01 Bank Documents	BOA 8245 (YTC)	BKU 0151 – BKU 0184	BOA account statements for account # ending 8245 for 1/1/16 – 8/31/16
01 Bank Documents	BOA 8699	BKU 0087 – BKU 0117	BOA account statements for account # ending 8699 for 12/29/15 – 8/26/15
01 Bank Documents	Cathay Bank	BKU 4768 – BKU 4781	Cathay Bank account statements for account # ending 7244 for 12/20/15 – 9/30/16
01 Bank Documents	HSBC 0793	BKU 0515 – BKU 0523	HSBC account statements for account # ending 0793 for 1/26/17 – 6/30/17
01 Bank Documents	HSBC 2046	BKU 0497 – BKU 0507	HSBC account statements for account # ending 2046 for 1/1/16 – 9/30/16
01 Bank Documents	HSBC 7256	BKU 0473 – BKU 0495	HSBC account statements for account # ending 7256 for 4/13/16 – 6/30/17
01 Bank Documents	HSBC 8316	BKU 0443 – BKU 0447	HSBC account statements for account # ending 8316 for 1/30/16 – 9/30/16
01 Bank Documents	HSBC 9269	BKU 0371 – BKU 0426	HSBC account statements for account # ending 9269 for 12/19/15 – 7/21/17
01 Bank Documents	OneWestBank	BKU 0283 – BKU 0317	OneWest Bank account statements for account # ending 0136 for 1/1/16 – 8/31/16
01 Bank Documents	Union 2572	BKU 0584 – BKU 0680	Union Bank account statements and items for account # ending 2572 for 1/1/16 – 7/31/17
01 Bank Documents	Union 2580	BKU 0685 – BKU 0722	Union Bank account statements for account # ending 2580 for 1/1/16 – 7/31/17
01 Bank Documents	Union 8286	BKU 0724 – BKU 0732	Union Bank account statements for account# ending 8286 for 12/24/15 – 8/24/16
02 Investment Account Documents	ETrade Peter Szanto LLC 5272	BKU 3375 – BKU 3524	E*Trade account statements and documents for account # ending 5272 for 9/30/17 – 10/30/17
02 Investment Account Documents	ETrade YTC 7246 Opening	BKU 3142 – BKU 3143	E*Trade account opening documents for account # ending 7246
02 Investment Account Documents	ETrade YTC 7246 Stmt	BKU 0918 – BKU 0921	E*Trade account statement for account # ending 7246 for 10/1/16 – 10/31/16

<b>Folder</b>	<b>File Name</b>	<b>Bates No.</b>	<b>Brief Description</b>
02 Investment Account Documents	Ford	BKU 4808 – BKU 4820	Ford Motor Credit Company LLC documents for account # ending 3843 for 1/1/19 – 6/30/17
03 OR Docket Items	1 – Petition		Bankruptcy petition filed in Bankruptcy Court for the District of Oregon in Case No. 16-33815-pcm7 (the “OR Case”) on 8/16/16, ECF No. 2
03 OR Docket Items	20 – Missing Documents		ECF No. 20 filed in the OR Case on 8/30/16
03 OR Docket Items	101 – Disclosure Statement		ECF No. 101 filed in the OR Case on 5/8/17
03 OR Docket Items	102 – Amended Plan		ECF No. 102 filed in the OR Case on 5/8/17
03 OR Docket Items	131 – 6-29-17 Hearing Audio		ECF No. 131 filed in the OR Case on 7/5/17 with audio from the hearing conducted on 6/29/17
03 OR Docket Items	137 – Szanto Bank Account Motion		ECF No. 137 filed in the OR Case on 7/25/17
03 OR Docket Items	140 – Order re Bank Account Motion		ECF No. 140 filed in the OR Case on 7/27/17
03 OR Docket Items	180 – Notice Special Meeting of Creditors		ECF No. 180 filed in the OR Case on 9/12/17
03 OR Docket Items	185 – IRS Motion to Convert or Appt Trustee		ECF No. 185 filed in the OR Case on 9/20/17
03 OR Docket Items	185a – Exhibits to IRS Motion to Convert or Appt Trustee		ECF No. 185-1 filed in the OR Case on 9/20/17
03 OR Docket Items	209 – Notice Cont’d Special Meeting		ECF No. 209 filed in the OR Case on 10/19/17
03 OR Docket Items	241 - UST Objection to Confirmation		ECF No. 241 filed in the OR Case on 11/15/17

<b>Folder</b>	<b>File Name</b>	<b>Bates No.</b>	<b>Brief Description</b>
03 OR Docket Items	272 – Order Limiting Transfer of Estate Property		ECF No. 272 filed in the OR Case on 11/30/17
03 OR Docket Items	278 – Order Converting Case to Chapter 7		ECF No. 278 filed in the OR Case on 12/5/17
03 OR Docket Items	401 – Arnot Declar		ECF No. 401 filed in the OR Case on 2/23/18
03 OR Docket Items	Susan Szanto Claim		Proof of claim filed naming creditor Susan Szanto on 2/26/18 in the OR Case
03 OR Docket Items	Susan Szanto Claim Attachment		Documents attached to proof of claim filed naming creditor Susan Szanto on 2/26/18 in the OR Case
04 Filed MORs	33 – Aug 2016 MOR		ECF No. 33 filed on 9/21/16 in the OR Case
04 Filed MORs	42 – Sept 2016 MOR		ECF No. 42 filed on 10/19/16 in the OR Case
04 Filed MORs	49 – Oct 2016 MOR		ECF No. 49 filed on 11/21/16 in the OR Case
04 Filed MORs	63 – Nov 2016 MOR		ECF No. 63 filed on 12/21/16 in the OR Case
04 Filed MORs	64 – Dec 2016 MOR		ECF No. 64 filed on 1/23/17 in the OR Case
04 Filed MORs	72 – Jan 2017 MOR		ECF No. 72 filed on 2/21/17 in the OR Case
04 Filed MORs	82 – Feb 2017 MOR		ECF No. 82 filed on 3/21/17 in the OR Case
04 Filed MORs	98 – March 2017 MOR		ECF No. 98 filed on 4/21/17 in the OR Case
04 Filed MORs	107 – April 2017 MOR		ECF No. 107 filed on 5/18/17 in the OR Case
04 Filed MORs	124 – May 2017 MOR		ECF No. 124 filed on 6/21/17 in the OR Case
04 Filed MORs	134 – June 2017 MOR		ECF No. 134 filed on 7/21/17 in the OR Case
04 Filed MORs	165 – MOR July 2017		ECF No. 165 filed on 8/21/17 in the OR Case
04 Filed MORs	197 – August 2017 MOR		ECF No. 197 filed on 9/28/17 in the OR Case

<b>Folder</b>	<b>File Name</b>	<b>Bates No.</b>	<b>Brief Description</b>
04 Filed MORs	224 – Sept 2017 MOR		ECF No. 224 filed on 11/2/17 in the OR Case
04 Filed MORs	277 – Oct 2017 MOR		ECF No. 277-1 filed in the OR Case on 12/5/17
05 MORs and Bank Statements from Szanto	PET 0012-35 9.16	PET 0012 – PET 0035	Monthly Operating Report (“MOR”) and bank documents provided to the United States Trustee (“UST”) by Peter Szanto (“Szanto”) for September 2016
05 MORs and Bank Statements from Szanto	PET 0036-59 10.16	PET 0036 – PET 0059	MOR and bank documents for October 2016 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0060-83 11.12	PET 0060 – PET 0083	MOR and bank documents for November 2016 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0084-107 12.16	PET 0084 – PET 0107	MOR and bank documents for December 2016 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0108-131 1.17	PET 0108 – PET 0131	MOR and bank documents for January 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0132-135 2.17 BK STMT	PET 0132 – PET 0135	Bank document for February 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0136-156 2.17	PET 0136 – PET 0156	MOR for February 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0157-180 3.17	PET 0157 – PET 0180	MOR and bank documents for March 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0181-204 4.17	PET 0181 – PET 0204	MOR and bank documents for April 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0205-226 5.17	PET 0205 – PET 0226	MOR and bank documents for May 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0227-246 6.17	PET 0227 – PET 0246	MOR for June 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0247-248 6.17 ub 2572 6-17	PET 0247 – PET 0248	Bank document for Union Bank account # ending 2572 for June 2017 provided by Szanto to the UST

<b>Folder</b>	<b>File Name</b>	<b>Bates No.</b>	<b>Brief Description</b>
05 MORs and Bank Statements from Szanto	PET 0249 6.17 ub 2580 6-17	PET 0249	Bank document for Union Bank account # ending 2580 for June 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0250-273 7.17	PET 0250 – PET 0273	MOR and bank documents for July 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0274-275 Eml re DIP acct 7.26	PET 0274 – PET 0275	Email exchange between Szanto and UST Trial Attorney on 7/26/17
05 MORs and Bank Statements from Szanto	PET 0276-0301 szanto AUG-17 MOR	PET 0276 – PET 0301	MOR and bank documents for August 2017 provided by Szanto to the UST
05 MORs and Bank Statements from Szanto	PET 0454-479 9.17	PET 0454 – PET 0479	MOR and bank documents for September 2017 provided by Szanto to the UST
06 Docket items non-OR matters	CD Cal Petition		Chapter 13 bankruptcy petition filed by Szanto in the Central District of California on 2/7/13, Case No. 8:13-bk-11148-CB, ECF No. 1
06 Docket items non-OR matters	Disso Docket		Docket printout for case #13D001377
06 Docket items non-OR matters	Nev Doc 65 – Szanto Response		ECF No. 65 filed by Szanto in the United States Bankruptcy Court for the District of Nevada in Case No. 13-51261-gwz on 10/1/13
06 Docket items non-OR matters	Nevada Petition		Chapter 11 bankruptcy petition filed by Szanto in the District of Nevada on 6/23/13, Case No. 13-51261-gwz, ECF No. 1
07 MA SOS Docs	YTC 1.29.16 Stmt Change Supp Info		Statement of Change of Supplemental Information filed for The Yankee Trust Corporation with the Massachusetts Secretary of State on 1/29/16
07 MA SOS Docs	YTC Articles Organization		Articles of Organization for The Yankee Trust Corporation filed with the Massachusetts Secretary of State on 12/8/14
08 OR SOS Docs	Peter Szanto LLC Articles of Organization		Articles of Organization for Peter Szanto, LLC filed with the Oregon Secretary of State on 8/22/17
09 Special Meeting	UST 0022-0028 11.9.17	UST 0022 – UST 0028	Email exchange between Szanto and UST Trial Attorney on 11/9/17

<b>Folder</b>	<b>File Name</b>	<b>Bates No.</b>	<b>Brief Description</b>
09 Special Meeting	UST 0029-0030	UST 0029 – UST 0030	Email from UST Trial Attorney to Szanto on 11/16/17
10 Fed Ex	FED 0001	FED 0001	Certification of Business Records dated 12/27/17 regarding 12/4/17 video surveillance footage
10 Fed Ex	Fed Ex Tracking		Fed Ex Tracking information for #770902241395
10 Fed Ex	FXP 0001-FXP 0005	FXP 0001 – FXP 0005	Documents produced by FedEx Express to the UST on 1/4/18
	LIT 0001-LIT 0013	LIT 0001 – LIT 0013	Documents produced by Litigation Services and Technologies of Nevada, LLC to the UST on 11/22/17
	PET 0302-318	PET 0302 – PET 0318	Email and attachments from Szanto to UST Trial Attorney on 10/10/17
	PET 0337-375	PET 0337 – PET 0375	Email and attachments from Szanto to UST Trial Attorney on 9/6/17
	PET 0507-534	PET 0507 – 0534	Email and attachments from Szanto to UST Trial attorney on 11/20/17
	PET 0535-PET 0536	PET 0535 – PET 0536	Exhibit A introduced into evidence by Szanto during hearing on 11/29/17

Please contact me during regular working hours at (503) 326-7659 if you have difficulty opening the files included on the enclosed CDs as described in this letter. You may also reach my colleague, United States Trustee Trial Attorney Martin Smith, at (206) 553-2000, extension 251, as he will be assuming primary responsibility for handling this matter. Thank you.

Very truly yours,

GREGORY M. GARVIN  
Acting United States Trustee for Region 18

  
CARLA GOWEN McCLURG  
Trial Attorney

Enclosures as described above